

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HYRDOBEE, SPC., a Washington  
corporation,

Plaintiff,

vs.

CITY OF SEATTLE,

Defendant.

No. 2:20-cv-1332

KING COUNT SUPERIOR COURT CAUSE  
NO. 20-2-12717-5 SEA

NOTICE OF REMOVAL TO FEDERAL  
COURT UNDER 28 U.S.C. § 1441

TO: THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF  
WASHINGTON, AT SEATTLE:

Defendant City of Seattle hereby gives notice that it is removing this case to the United States  
District Court for the Western District of Washington on the grounds set forth below.

1. On August 18, 2020, this action was filed by plaintiff against defendant City of  
Seattle in King County Superior Court under Cause No. 20-2-12717-5 SEA (*See* Complaint attached  
to the Verification of State Court Records as Ex. 1).

2. The matter was assigned to The Honorable Douglass A. North, and the Court issued  
an Order Setting Civil Case Schedule (attached as Ex. 2 to the Verification of State Court Records).

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2 4. Plaintiff filed a Summons directed to defendant City of Seattle, attached as Exhibit 3  
3 to the Verification of State Court Records.

4 6. A copy of the King County Superior Court docket is attached as Exhibit 4 to the  
5 Verification of State Court Records.

6 7. Upon information and belief, there have been no further proceedings in this action.

7 8. It appears that within the Complaint, Plaintiff alleges a Constitutional claim for a civil  
8 rights violations under 42 U.S.C. § 1982, specifically, that the City of Seattle made unauthorized  
9 entry to Plaintiff's commercial rental space and removed personal property. Plaintiff also alleges  
10 state law claims of conversion, trespass and breach of contract. Further, Plaintiff demands judgment  
11 against defendant City of Seattle for costs and attorney's fees, which may be unavailable to it in the  
12 Superior Court of the State of Washington but are available when proceeding under 42 U.S.C. §  
13 1982.

14 9. A claim for a violation of 42 U.S.C. § 1982 arises under and is controlled by the laws  
15 and the Constitution of the United States and therefore falls within the original jurisdiction of the  
16 United States District Court. *See* 28 U.S.C. §§ 1331, 1343 and 1441(a). The entire case may thus  
17 be removed to the United States District Court for determination of all issues. *See* 28 U.S.C. §  
18 1441(c) and 28 U.S.C. § 1446.

19 10. Defendant City has filed this Notice of Removal within thirty (30) days after receipt,  
20 through service or otherwise, of a copy of plaintiff's Complaint. *See* 28 U.S.C. § 1446(b).

21 12. Intradistrict Assignment: Pursuant to Local Rule 101(e), defendant City notes that it  
22 is removing this case to the Western District of Washington, Seattle Division, because the events  
23 complained of occurred in King County.

1           13.     This Court is the district court of the United States for the district and division  
2 embracing the place where the state court action is currently pending. *See* 28 U.S.C. § 1441(a).

3           WHEREFORE, defendant City hereby gives notice that the civil action in King County  
4 Superior Court, State of Washington has been removed from that Court to the United States District  
5 Court for the Western District of Washington at Seattle.

6           DATED this 8<sup>th</sup> day of September, 2020.

7                                 PETER S. HOLMES  
8                                 Seattle City Attorney

9                                 By: /s/ Tara Gillespie  
10                                 Tara Gillespie, WSBA# 38610  
11                                 Assistant City Attorneys  
12                                 E-mail: [Tara.Gillespie@seattle.gov](mailto:Tara.Gillespie@seattle.gov)

13                                 Seattle City Attorney's Office  
14                                 701 Fifth Avenue, Suite 2050  
15                                 Seattle, WA 98104  
16                                 Phone: (206) 684-8200

17                                 Attorneys for Defendant City of Seattle  
18  
19  
20  
21  
22  
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**CERTIFICATE OF SERVICE**

I hereby certify that on September 8, 2020 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Isaac Ruis, WSBA #35237  
Katheryn Knudsen, WSBA #41075  
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s/ Daviana Kadiyan  
Daviana Kadiyan, Legal Assistant